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54. The patient infusion system of claim 9 wherein the communications link comprises a fiber optic line.

24;
55. The method of claim 23 wherein the control signals are transmitted via electromagnetic transceivers.

REMARKS

This Response and Amendment is in response to the Office Action mailed on January 4, 1999. Reconsideration of this application is respectfully requested.

Examiner Interview

The undersigned wishes to thank Examiner Casler for the courtesies extended during the Examiner Interview conducted on January 21, 1999.

Allowable Subject Matter

Applicants acknowledge, with appreciation, Examiner Casler's allowance of claims 8, 23-31 and 40, and his indication that claims 10-12, 14-16 and 48-49 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Nevertheless, Applicants reserve the right to pursue broader claims in continuing applications.

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Original Patent

The Office Action required the original patent, or an affidavit or declaration as to its loss or inaccessibility, to be received before the reissue application could be allowed. Consequently, Applicants submit herewith original U.S. Patent No. 5,494,036 and the Certificate of Correction therefor.

Prior Art Rejections

1. The Office Action rejected claims 1-7, 22, 32-37, 39 and 44-45 under 35 U.S.C. § 103(a) as being unpatentable over the Saini et al. article (“the Saini Article”) in view of U.S. Patent No. 4,613,328 to Boyd (“the Boyd patent”). This rejection is now moot in light of the above claim amendments.

To further the prosecution of this application, claims 1-7, 22, 35-37, 39 and 44-45 have been canceled without disclaimer or prejudice. Applicants do not acquiesce to the prior art rejection of these claims, and reserve the right to pursue these, similar or broader claims in continuing applications.

Further, independent claim 32 has been amended to include a recitation to “a communication control link” and to remove other limitations originally included therein. Consequently, the above rejection of claim 32 is now moot.

2. The Office Action rejected claims 9, 13, 18-21 and 47 under 35 U.S.C. § 103(a) as being unpatentable over the Saini Article in view of U.S. Patent No. 5,300,031 to Neer et al. (“the Neer patent”). This rejection is respectfully traversed.

As shown above, independent claims 9, 13 and 47 have been amended to clarify that the control link is adapted to be substantially non-reactive with the magnetic field of the imaging system.

Applicants submit that the Neer patent does not render obvious claims 9, 13, 18-21 and 47, and that the rejection based thereon should be withdrawn.

3. The Office Action rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over the Saini Article in view of the Neer patent as set forth above, and further in view of the Boyd patent. This rejection is now moot in light of the above amendment to claim 13.

4. The Office Action rejected claim 38 under 35 U.S.C. § 103(a) as being unpatentable over the Saini Article in view of the Boyd patent as set forth above, and further in view of U.S. Patent No. 4,677,980 to Reilly et al. This rejection is now moot in light of the above amendment to claim 32.

New Claims

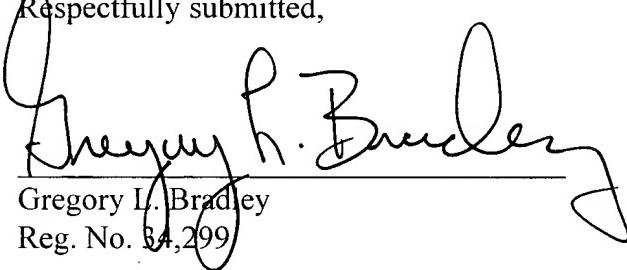
New claims 50-53 are based on allowable claims 10-12, and new claims 54-55 are based on allowed claim 8 and allowable claim 49, respectively. Consequently, Applicants submit that claims 50-55 are in condition for allowance.

Notice of Informal Drawings

Applicants received a Notice of Informal Drawings in this reissue application, even though Applicants requested the original patent drawings from U.S. Patent No. 5,494,036 to be transferred to the file of this application. Consequently, unless the Draftsperson notifies the undersigned otherwise, Applicants will assume that the formal drawings in this application have been or will be accepted for issuance.

In view of the foregoing amendments and remarks, Applicants submit that the application is now in condition for allowance. Reconsideration of this application is respectfully requested.

Respectfully submitted,



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